

Kabateck Brown Kellner, LLP  
644 South Figueroa Street  
Los Angeles, California 90017  
(213) 217-5000  
FAX (213) 217-5010

**KABATECK BROWN KELLNER LLP**

BRIAN S. KABATECK, ESQ. / BAR #152054  
RICHARD L. KELLNER, ESQ. / BAR #171416  
644 South Figueroa Street  
Los Angeles, CA 90017  
Telephone: (213) 217-5000  
Facsimile: (213) 217-5010  
Email: [bsk@kbklawyers.com](mailto:bsk@kbklawyers.com)

**KHORRAMI POLLARD & ABIR LLP**

SHAWN KHORRAMI, ESQ. / BAR #180411  
DYLAN POLLARD, ESQ. / BAR #180306  
444 So. Flower Street, Thirty-Third Floor  
Los Angeles, CA 90071  
Telephone: (213) 596-6000  
Facsimile: (213) 596-6010  
Email: [dpollard@kpalawyers.com](mailto:dpollard@kpalawyers.com)

Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
(SAN FRANCISCO DIVISION)**

IN RE: BEXTRA AND CELEBREX	) MDL CASE NO.: 05-CV-1699
MARKETING SALES PRACTICES AND	)
PRODUCT LIABILITY LITIGATION	)
_____	)
	)
ACQUAROLE, et al.,	) CASE NO. CGC-06-449463
	) MDL Case No. 06-2392 CRB
	)
Plaintiffs,	) STIPULATION AND ORDER OF
	) DISMISSAL WITH PREJUDICE
vs.	) AS TO PLAINTIFF EDGAR PORTER
	)
PFIZER, INC., et al.	)
	)
Defendants.	)
_____	)

COME NOW, Plaintiff EDGAR PORTER and Defendants PFIZER, INC., et al., by and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and

**STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE  
AS TO PLAINTIFF EDGAR PORTER**

1 hereby stipulate to the dismissal of Plaintiff EDGAR PORTER from this action, with prejudice,  
2 each side bearing its own attorney's fees and costs.

3  
4 Respectfully submitted,

5  
6 Dated: September 24 2009

**KABATECK BROWN KELLNER LLP**

7  
8 By: 

Brian S. Kabateck, Esq.  
Attorneys for Plaintiff EDGAR PORTER

9  
10  
11 Dated: October 27, 2009

**DLA PIPER LLP**

12 /S/

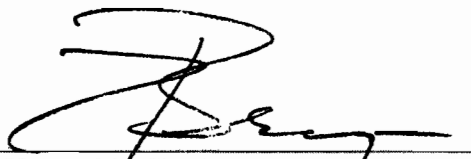
13 By: \_\_\_\_\_

Matthew A. Holian  
Attorney for Defendants PFIZER, INC., et al.

14  
15  
16 **ORDER**

17  
18 **PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION, IT IS**  
19 **SO ORDERED.**

20  
21 Dated: OCT 29 2009

22   
Honorable Charles R. Breyer  
United States District Court